



COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities Under OMB Review

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (PRA), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected costs and burden.

DATES: Comments must be submitted on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Comments regarding the burden estimated or any other aspect of the information collection, including suggestions for reducing the burden, may be submitted directly to the Office of Information and Regulatory Affairs (OIRA) in OMB, within 30 days of the notice's publication, by email at OIRAsubmissions@omb.eop.gov. Please identify the comments by OMB Control No. 3038-NEW. Please provide the Commodity Futures Trading Commission ("CFTC" or "Commission") with a copy of all submitted comments at the address listed below. Please refer to OMB Reference No. 3038-NEW, found on <http://reginfo.gov>. Comments may also be mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for the Commodity Futures Trading Commission, 725 17th Street, NW, Washington, DC 20503, and to: Nisha Smalls, Office of Customer Education and Outreach, Commodity

Futures Trading Commission, 1155 21st Street, NW, Washington, DC 20581; or through the Agency's website at <http://comments.cftc.gov>. Follow the instructions for submitting comments through the website.

Comments may also be mailed to: Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW, Washington, DC 20581; or sent by hand delivery/courier to the same address.

A copy of the supporting statements for the collection of information discussed above may be obtained by visiting reginfo.gov. All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to <http://www.cftc.gov>.

FOR FURTHER INFORMATION CONTACT: Nisha Smalls, Office of Customer Education and Outreach, Commodity Futures Trading Commission, 1155 21st Street, NW, Washington, DC 20581, (202) 418-5895; FAX: (202) 418-5541; email: nsmalls@cftc.gov and refer to this Federal Register notice. A copy may also be obtained from this contact.

SUPPLEMENTARY INFORMATION: The Commission's Office of Customer Education and Outreach (OCEO) develops campaigns to change customer behaviors, so that customers can better avoid fraud as defined under the Commodity Exchange Act. The OCEO intends to survey the public by identifying customers and determining if the CFTC's SmartCheckSM campaign is helping them to identify, avoid, and report financial fraud.

Title: CFTC SmartCheck Annual Campaign Impact Tracking Survey, (OMB Control No. 3038-NEW). This is a request for approval of a new collection.

Abstract: In 2010, the Dodd-Frank Act¹ expanded the Commission's authority to, among other matters related to regulatory oversight, establish funding of consumer education initiatives under its new Whistleblower authority.² Under this new authority, the Commission established the OCEO to, among other efforts, survey the public regarding consumer education initiatives.³ This notice announces a public survey. This survey will include screening questions to identify the correct respondents and questions to determine if the CFTC's SmartCheckSM campaign is helping customers identify, avoid, and report financial fraud.

The OCEO will use the information collected in the survey to refine the methods used to inform the public about how to best detect and report financial fraud. This will be done by creating a final summary report that includes key findings from the survey.

Findings from the summary report will be used to directionally inform the outreach efforts that the CFTC undertakes concerning helping customers avoid financial fraud.

The survey will be administered using an online survey tool. The online modality approach will allow presentation of test material to participants in a more convenient and time-efficient manner than other collection methods such as mail intercepts. The online

¹ See Dodd-Frank Wall Street Reform and Consumer Protection Act, Pub. L. 111-203, 124 Stat. 1376 (2010). The text of the Dodd-Frank Act may be accessed at <http://www.cftc.gov/LawRegulation/DoddFrankAct/index.htm>.

² See 7 U.S.C. 26.

³ See 17 CFR 165.12.

method also allows for a quicker turnaround for data collection. No other collection methods will be used.

Burden Statement: The screening questions will take about 1 minute to complete. It is anticipated that 4,000 people will be screened. The survey will take about 15 minutes. The cost of the screener survey will be approximately \$3,125, which equates to \$46.85 per burden hour. 2,000 people will take the 15 minute survey. The cost of the full survey will be approximately \$46,875, which equates to \$93.75 per burden hour. Based on these assumptions, the total burden hours will be 566.7 hours. The Commission estimates the average burden of this collection of information as follows:

Estimated Annual Reporting Burden Hours					
17 CFR 165.12	Annual reporting 4,000	Frequency of reporting 1 response per respondent	Hours per report 1 minute per response	Total 4,000	66.7 hours total burden
17 CFR 165.12	2,000	1 response per respondent	15 minutes per response	2,000	500 hours total burden

The proposed survey questions appear below:

CFTC SmartCheck Annual Campaign Impact Tracking Survey

CFTC TARGET = Age 50-65; HH income 60k+; Answers 1 or 2 for question 1;

Invests in 2 or more products in question 2

Screener

1. When it comes to family and personal investments like stocks, mutual funds, or other trading products, how likely are you to be involved in making decisions for your household?

1	Very likely
2	Somewhat likely
3	Not too likely
4	Not at all likely

2. Below is a list of financial products. Please select all that you currently are invested in or have invested in.

1	Stocks or shares
2	Precious metals like gold or silver
3	Foreign currency trading (FOREX)
4	Any type of futures or options
5	None of these [Single Punch (SP)]
6	Don't know [SP]

Survey

[GRID, SP ACROSS]

Please answer yes or no to each of the following questions.

Yes	No
1	2

3.	Have you read, seen, or heard anything about the Commodity Futures Trading Commission (CFTC)?
4.	Have you read, seen, or heard anything about CFTC SmartCheck, a campaign that promotes expert tools and resources to check the background of financial professionals, learn how to avoid investment fraud, and report suspicious activity?
5.	Have you read, seen, or heard anything about SmartCheck.gov, a website that links to databases which allow investors to check the background of financial professionals?
6.	Have you read, seen, or heard anything about Investor.gov, a website that allows you to check the background of investment adviser representatives and firms?

7.	Have you read, seen, or heard anything about BrokerCheck.org, a website that allows you to check the background of brokers who sell stocks, bonds, mutual funds and other securities?
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[GRID, SP ACROSS. RANDOMIZE GRID ROWS]

Below are a number of actions that you may or may not be likely to complete. Please indicate how likely or unlikely you are to complete the actions using the scale below.

If you were considering investing with someone you had not invested with before, how likely are you to:

Very Likely	Somewhat Likely	Not likely or unlikely	Not too likely	Not at all Likely
1	2	3	4	5

8.	Review performance history
9.	Talk to references and/or past clients
10.	Confirm certifications and/or education
11.	Perform a general Internet search
12.	Check disciplinary history with an official financial regulator
13.	Check licensing and/or registration status with an official financial regulator
14.	Personally interview
15.	Check job affiliations with an official financial regulator
16.	None of these/don't know [SP]

[SP]

17. Generally speaking, how concerned are you about unknowingly being part of a fraudulent investment?

1	Very concerned
2	Somewhat concerned
3	Not too concerned
4	Not at all concerned

[SP]

18. If you suspected an investment you were aware of was fraudulent, how likely would you be to report it to a government financial agency such as the U.S. Commodity Futures Trading Commission (CFTC) or the U.S. Securities and Exchange Commission (SEC)?

1	Very likely
2	Somewhat likely
3	Not too likely
4	Not at all likely

[SP]

19. If you became aware that an investment you were already a part of was fraudulent, how likely would you be to report it to a government financial agency such as the U.S. Commodity Futures Trading Commission (CFTC) or the U.S. Securities and Exchange Commission (SEC)?

1	Very likely
2	Somewhat likely
3	Not too likely
4	Not at all likely

[MP; RANDOMIZE LEAVING LAST 1 AT THE END]

20. Which, if any, of the following do you think are potential signs of investment fraud?

If the person selling the investment...

1	said the investment has a guaranteed rate of return.
2	said s/he has a special credential, so they can be trusted.
3	said that many of your friends have already invested in the opportunity.
4	was willing to charge you half of the regular commission.
5	said the opportunity was closing soon, so it was important to act quickly.
6	None of these [SP]

[GRID, SP ACROSS. RANDOMIZE GRID ROWS]

Below are a number of statements with which you may or may not agree. Please indicate how much you agree or disagree with each statement.

Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree
1	2	3	4	5

21.	It is important to know the common signs of fraud when investing.
22.	The government reviews and investigates all alleged reports of investment fraud.
23.	I know where to go to report suspected or known incidents of investment fraud.
24.	I know where to go to check the background of a financial professional.
25.	<u>Before I invest</u> , it is important to check the registration and/or licensing status of a financial professional.
26.	<u>Each year</u> , it is important to check the registration and/or licensing of a financial professional with whom I invest.
27.	<u>Before I invest</u> , it is important to check the disciplinary history of a financial professional.
28.	<u>Each year</u> , it is important to check the disciplinary history of a financial professional.

(Authority: 44 U.S.C. 3501 et seq.)

Dated: August 8, 2016

Christopher J. Kirkpatrick,

Secretary of the Commission.

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